

## **MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment

**FROM:** Matt Jesick, Case Manager  
*JL for* Joel Lawson, Associate Director Development Review

**DATE:** October 13, 2015

**SUBJECT:** BZA Case 19086 – 215 A Street, NE

### **I. RECOMMENDATION**

With regards to this proposal to build an addition to an existing single family dwelling, the Office of Planning (OP) recommends **approval** of the following special exception relief pursuant to § 223:

- § 403, Lot Occupancy (60% maximum, 68.7% proposed);
- § 2001.3, Additions to Non-conforming Structures (Must conform to lot occupancy; does not conform to lot occupancy).

### **II. LOCATION AND SITE DESCRIPTION**

Address	215 A Street, NE
Legal Description	Square 797, Lot 27
Ward and ANC	6, 6C
Lot Characteristics	Rectangular rowhouse lot – approx.. 16’9” x 65’8”; Alley access at rear.
Zoning	CAP / R-4 – Capitol Interest Overlay / Single family rowhouse
Existing Development	Single family residence, two stories plus basement
Historic District	Capitol Hill
Adjacent Properties	Rowhouses on either side; Alley rowhouses to the south
Surrounding Neighborhood Character	Mix of rowhouses, apartments and institutional uses, including the Supreme Court and the Folger Shakespeare Library

### **III. PROJECT IN BRIEF**

Applicant	Gail and Lindsay Slater
Proposal	Fill in the existing court and add a partial third floor
Requested Relief	§223 - Additions to a One-Family Dwellings or Flats



#### IV. ZONING REQUIREMENTS

R-4	Requirement	Existing	Proposed	Relief
Height (§ 400)	35', 3 stories	29'2", 2 stories	34', 3 stories	Conforming
Lot Area (§ 401)	1,800 sf	1,103 sf	No change	Existing Nonconforming
Lot Width (§ 401)	18'	16.78'	No change	Existing Nonconforming
<b>Lot Occupancy (§ 403)</b>	<b>60% 661.8 sf</b>	<b>68.7% 757.4 sf</b>	<b>No Change<sup>1</sup></b>	<b>Requested</b>
Rear Yard (§ 404)	20'	20'8"	No change	Conforming

<sup>1</sup> The existing court that is being filled in already counts toward lot occupancy; The new third floor would have an area of 469.84 SF, which is only 42.6% lot occupancy.

R-4	Requirement	Existing	Proposed	Relief
Side Yard (§ 405)	None required	None	No change	Conforming
Additions to non-conforming structures § 2001.3	Must conform to lot occupancy	Non-conforming for lot occupancy	Non-conforming for lot occupancy	Requested

## V. ANALYSIS

### 223 ZONING RELIEF FOR ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS (R-1) AND FOR NEW OR ENLARGED ACCESSORY STRUCTURES

**223.1** *An addition to a one-family dwelling or flat, in those Residence districts where a flat is permitted, or a new or enlarged accessory structure on the same lot as a one-family dwelling or flat, shall be permitted even though the addition or accessory structure does not comply with all of the requirements of §§ 401, 403, 404, 405, 406, and 2001.3 shall be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.*

The existing use as a single family dwelling would be maintained. The applicant proposes to fill in the existing court, renovate the existing structure and add a partial third story. In order to build as proposed, the application requests special exception relief under § 223 from the requirements of § 403, Lot Occupancy, and § 2001.3, Additions to Nonconforming Structures.

**223.2** *The addition or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:*

**(a)** *The light and air available to neighboring properties shall not be unduly affected;*

Light and air available to neighboring properties would not be unduly affected. The proposed infill of the court would not impact any windows nor cause any shadow on adjacent properties. The partial third floor would only cast some additional shadow on the roofs of immediately adjacent properties. And because this house is north of the nearby alley dwellings, they would not be impacted by shadow. The slight increase in building volume should not impact the flow of air to nearby properties.

**(b)** *The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;*

The new third floor would have two windows facing south, a normal amount of windows for a typical house. The privacy available to nearby properties should not be degraded below a level typical in a dense rowhouse neighborhood. There will be no windows facing east or west.

- (c) *The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage; and*

The infill of the existing court would not be visible from the street, and would not significantly impact the character of the houses as seen from the alley. The new third floor addition would be set back 17 feet from the front of the house, putting it out of view from observers on the street. From the alley the addition would be visible, but not out of character with a dense urban environment consisting of varied building types, sizes and heights.

- (d) *In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways.*

The applicant has submitted elevations, floor plans and photographs that illustrate the proposed addition and its surroundings.

- 223.3** *The lot occupancy of all new and existing structures on the lot shall not exceed fifty percent (50%) in the R-1 and R-2 Districts or seventy percent (70%) in the R-3, R-4, and R-5 Districts.*

With the proposed addition the lot occupancy would remain at 68.7%.

- 223.4** *The Board may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby properties.*

OP recommends no special treatments or conditions.

- 223.5** *This section may not be used to permit the introduction or expansion of a nonconforming use as a special exception.*

The applicant does not propose to introduce a nonconforming use.

## **VI. HISTORIC PRESERVATION**

The project has received preliminary approval from the Historic Preservation Review Board.

## **VII. COMMENTS OF OTHER DISTRICT AGENCIES**

OP is not aware of comments from any other District agency.

## **VIII. COMMUNITY COMMENTS**

As of this writing OP has not received any comments from the community, but the record contains letters of support from adjacent neighbors.